

031004

16138 U.S. PTO

BAKER BOTTS LLP

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17302 U.S. PTO  
10/797248

031004

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>		<b>Attorney Docket No.</b> A36156-PCT-USA-A	
		<b>First Inventor</b> Renaud DUMAS et al.	
		<b>Title</b> USE OF * see attached	
<i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>		<b>Express Mail Label No.</b> ER 589 233 166 US	
<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>		<b>ADDRESS TO:</b> Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450	
<div>1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form</b> (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i></div> <div>2. <input type="checkbox"/> <b>Applicant claims small entity status.</b> See 37 CFR 1.27.</div> <div>3. <input checked="" type="checkbox"/> <b>Specification</b> [Total Pages <span style="border: 1px solid black; padding: 0 5px;">81</span>] <i>(preferred arrangement set forth below)</i><ul style="list-style-type: none"><li>- Descriptive title of the invention</li><li>- Cross Reference to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to sequence listing, a table, or a computer program listing appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings <i>(if filed)</i></li><li>- Detailed Description</li></ul><div style="display: flex; justify-content: space-between;"><div><input type="checkbox"/> Claim(s) [Total Sheets <span style="border: 1px solid black; padding: 0 5px;">4</span>]</div><div><input type="checkbox"/> Abstract of the Disclosure [Total Sheets <span style="border: 1px solid black; padding: 0 5px;">1</span>]</div></div><div>4. <input checked="" type="checkbox"/> <b>Drawing(s)</b> (35 U.S.C. 113) [Total Sheets <span style="border: 1px solid black; padding: 0 5px;">9</span>]</div><div>5. <b>Oath or Declaration</b> [Total Pages <span style="border: 1px solid black; padding: 0 5px;">4</span>]<div style="margin-left: 20px;"><div>a. <input type="checkbox"/> Newly executed (original or copy)</div><div>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for continuation/divisional with Box 18 completed)</i><div style="margin-left: 20px;">i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</small></div></div></div><div>6. <input type="checkbox"/> <b>Application Data Sheet.</b> See 37 CFR 1.76</div></div></div>		<div>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i></div> <div>8. <b>Nucleotide and/or Amino Acid Sequence Submission</b> <i>(if applicable, all necessary)</i><div style="margin-left: 20px;">a. <input checked="" type="checkbox"/> Computer Readable Form (CRF)</div><div style="margin-left: 20px;">b. <b>Specification Sequence Listing on:</b><div style="margin-left: 20px;">i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</div><div style="margin-left: 20px;">ii. <input checked="" type="checkbox"/> paper</div></div><div style="margin-left: 20px;">c. <input checked="" type="checkbox"/> Statements verifying identity of above copies</div></div>	
<b>ACCOMPANYING APPLICATION PARTS</b>			
<div>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</div> <div>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i></div> <div>11. <input type="checkbox"/> English Translation Document <i>(if applicable)</i></div> <div>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</div> <div>13. <input type="checkbox"/> Preliminary Amendment</div> <div>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i></div> <div>15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i></div> <div>16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</div> <div>17. <input type="checkbox"/> Other: _____</div>			
<b>18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:</b> <div style="display: flex; justify-content: space-between; align-items: flex-start;"><div><input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)</div><div>of prior application No.: PCT/FR02/03073</div></div> <div style="margin-top: 5px;"><small>Prior application information: Examiner _____ Group Art Unit: _____</small></div> <div style="margin-top: 5px;"><small>For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.</small></div>			
<b>19. CORRESPONDENCE ADDRESS</b>			
<div><input checked="" type="checkbox"/> Customer Number or Bar Code Label <span style="border: 1px solid black; padding: 2px; display: inline-block; text-align: center; font-weight: bold;">21003</span> <small><i>(Insert Customer No. or Attach barcode label here)</i></small></div> <div style="text-align: right; margin-top: -15px;"><input type="checkbox"/> Correspondence address below</div>			
<b>Name</b> _____			
<b>Address</b> _____			
<b>City</b> _____		<b>State</b> _____	<b>Zip Code</b> _____
<b>Country</b> _____		<b>Telephone</b> _____	<b>Fax</b> _____
<b>Name (Print/Type)</b> Carmella L. Stephens		<b>Registration No. (Attorney/Agent)</b> 41,328	
<b>Signature</b> <i>Carmella L. Stephens</i>		<b>Date</b> 03/10/2004	

## FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**856**

### Complete if Known

Application Number	To Be Assigned
Filing Date	March 10, 2004
First Named Inventor	Renaud DUMAS et al.
Examiner Name	To Be Assigned
Art Unit	To Be Assigned
Attorney Docket No.	A36156-PCT-USA-A

### METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit  
Account  
Number  
Deposit  
Account  
Name

02-4377

Baker Botts LLP

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☐ Charge any additional fee required under 37CFR 1.16 and 1.17

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	770
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)**770**

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
13	- 20 = 0	X 18	= 0
Independent Claims	4	- 3 = 1	X 86 = 86
Multiple Dependent			

Large Entity Fee Code	Small Entity Fee Code	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)**86**

\*\*or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051 130	2051 65			Surcharge - late filing fee or oath	
1052 50	2052 25			Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130			Non-English specification	
1812 2,520	1812 2,520			For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*			Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*			Requesting publication of SIR after Examiner action	
1251 110	2251 55			Extension for reply within first month	
1252 420	2252 210			Extension for reply within second month	
1253 950	2253 475			Extension for reply within third month	
1254 1,480	2254 740			Extension for reply within fourth month	
1255 2,010	2255 1,005			Extension for reply within fifth month	
1401 330	2401 165			Notice of Appeal	
1402 330	2402 165			Filing a brief in support of an appeal	
1403 290	2403 145			Request for oral hearing	
1451 1,510	1451 1,510			Petition to institute a public use proceeding	
1452 110	2452 55			Petition to revive - unavoidable	
1453 1,300	2453 650			Petition to revive - unintentional	
1501 1,330	2501 665			Utility issue fee (or reissue)	
1502 480	2502 240			Design issue fee	
1503 630	2503 315			Plant issue fee	
1460 130	1460 130			Petitions to the Commissioner	
1807 50	1807 50			Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180			Submission of Information Disclosure Stmt	
8021 40	8021 40			Recording each patent assignment per property (times number of properties)	
1809 770	2809 385			Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385			For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385			Request for Continued Examination (RCE)	
1802 900	1802 900			Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**0**

### SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Carmella L. Stephens	Registration No. (Attorney/Agent)	41,328	Telephone	212.408.2500
Signature	<i>Carmella L. Stephens</i>	Date	03/10/2004		

## \*Question 4 Addendum

4.a. Drawings are ☐ formal ☒ informal

## \* Question 5 Addendum

5.c. ☒ An unsigned oath or declaration is included.

## \* Question 8 Addendum

8.d. ☐ A sequence submission will follow.

## \* Question 9 Addendum

9.a. ☒ Assignment documents will follow.9.b. ☐ Assignment documents have been filed in parent application No.

## \* Question 11 Addendum

11.a. ☐ English translation will follow.

## \* Question 12 Addendum

12.a. ☐ Copies of IDS citations will follow.

## \* Question 15 Addendum

15.a. ☐ Certified copies of priority documents will follow.15.b. ☐ Certified copies of priority documents have been filed in parent application No.

Use the space below for additional information

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Title (continued):

USE OF KETOL-ACID REDUCTOISOMERASE INHIBITORS TO PREVENT OR TREAT  
FUNGAL INFECTION OF PLANTS

## Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: \_\_\_\_\_

Prior application information:

Examiner: \_\_\_\_\_

Group Art Unit: \_\_\_\_\_

☐ Amend the specification by inserting before the first line the sentence(s)☐ "This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ "This application is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein,

☐ which is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of:☐ which is based upon:

prior application No.: \_\_\_\_\_, incorporated by reference herein

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

## Foreign Applications:

Country: FranceSerial No: 01/11,689Filing Date: Sept. 10, 2001

Country: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Country: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

## Provisional Applications:

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Serial No: \_\_\_\_\_

Filing Date: \_\_\_\_\_

**CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10\***

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Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

**37 C.F.R. 1.8(a)**

☐ with sufficient postage as first class mail.

**37 C.F.R. 1.10\***

☒ as "Express Mail Post Office to Address"  
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Leroy Chick  
Signature

Date: \_\_\_\_\_

Leroy Chick

*(type or print name of person certifying)*

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"Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.